

No. 03-20-00129-CV

**IN THE THIRD COURT OF APPEALS
AUSTIN, TEXAS**

FILED IN
3rd COURT OF APPEALS
AUSTIN, TEXAS
3/9/2021 8:20:06 AM

JEFFREY D. KYLE
Clerk

**QATAR FOUNDATION FOR EDUCATION, SCIENCE AND COMMUNITY DEVELOPMENT,
*Appellant,***

v.

**KEN PAXTON, TEXAS ATTORNEY GENERAL, AND ZACHOR LEGAL INSTITUTE,
*Appellees.***

On Appeal from the 200th District Court of Travis County, Texas
Trial Court Case No. D-1-GN-18-006240

APPELLANT'S ORAL ARGUMENT EXHIBITS

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EXHIBITS

- A. Excerpts from TEX. GOV'T CODE §552.325
- B. Excerpts from *Boeing Co. v. Paxton*

EXHIBIT A

Texas Government Code § 552.325

Parties to Suit Seeking to Withhold Information

(a) A governmental body, officer for public information, or other person or entity that files a suit seeking to withhold information from a requestor may not file suit against the person requesting the information. The requestor is entitled to intervene in the suit.

(b) The governmental body, officer for public information, or other person or entity that files the suit shall demonstrate to the court that [it] made a timely good faith effort to inform the requestor...of:

(1) the existence of the suit...; [and]

(3) the fact that the suit is against the attorney general in Travis County district court...

EXHIBIT B

***Boeing Company v. Paxton*, 466 S.W.3d 831 (Tex. 2015)**

“[T]he PIA permits the third party to raise the issue and any applicable exception to the information’s disclosure with the Attorney General, or in district court, or both. *See id.* § 5[5]2.305(b) (permitting person whose privacy or property interests are implicated to appear in the Attorney General’s administrative determination of the request); *id.* § 552.325 (recognizing third party’s right to file suit seeking to withhold information from a requestor).” *Id.* at 833.

“[T]he Legislature intended private parties...to have standing or the right to protect their interest in the information protected by section 552.104 through the judicial remedy provided in section 552.325.” *Id.* at 839 (quoting *Boeing Co. v. Abbott*, 412 S.W.3d 1, 21 (Tex. App.—Austin 2012) (Pemberton, J., concurring)). “That is our view as well.” *Id.*

CERTIFICATE OF SERVICE

On March 9, 2021, I electronically filed Appellant's Oral Argument Exhibits with the Clerk of the Court using the eFile.TXCourts.gov electronic filing system which will send notification of such filing to the following (unless otherwise noted below).

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